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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.1305 OF 2007

Shubhangi V. Tamse ... Petitioner

Vs.

HDFC Bank Ltd. & Ors. ... Respondents

Mr. Vincent D'Silva for the Petitioner.

Mr. Kishore Thakore with Ms. Agnes Bhardia i/b M/s. Thakore Jariwala & Associates for Respondent No.1

Mr. Vikas Warenkar for Respondent No.4.

CORAM : SWATANTER KUMAR, C.J. &
SMT. RANJANA DESAI, J.

DATED : JULY 09, 2007.

P.C.:-

1. The learned counsel appearing for Respondent-Bank submits that they will proceed in furtherance to the notice to take symbolic possession of the property. However, without prejudice to their rights and contentions and without admitting any of the averments made in the Petition, they would not take physical possession within a period of four weeks from today i.e. till 6/8/2007. If the Petitioner wishes, he can take recourse to proceedings under

section 17 of the Securitization Act by preferring an Appeal.

2. In view of the above statement, nothing survives in this Writ Petition. The Writ Petition is disposed of. The Petitioner is at liberty to take appropriate steps within four weeks from today. Any order subsequent to this, shall be controlled by the order passed by the Competent Authority. No order as to costs.

[CHIEF JUSTICE]

[SMT. RANJANA DESAI, J.]